IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5992 of 2007()

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CRIME NO. 1099/06 OF ALUVA POLICE STATION

PETITIONER/4TH ACCUSED

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VIJUKUMAR, AGED 32 YEARS,
S/O.BALAKRISHNAN, KUTTIYAR HOUSE,
NEAR MOSQUE, KODIKUTHUMALA,
ALUVA EAST VILLAGE.

BY ADV. SRI.DINESH MATHEW J.MURICKEN
SRI.P.V.BALAKRISHNAN

RESPONDENTS: COMPLAINANT

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STATE OF KERALA, REPRESENTED BY THE
CIRCLE INSPECTOR OF POLICE, ALUVA POLICE STATION,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R. BASANT, J.**

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B.A.No. 5992 of 2007

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Dated this the 3rd day of October, 2007

**O R D E R**

Application for regular bail. The petitioner faces allegations for offences punishable, inter alia, under Section 395 I.P.C. The petitioner was arrested on 10.7.2007. The alleged incident took place on 24.8.2006. He is the 4th accused. Investigation is not complete. The petitioner continues in custody from 10.7.2007.

2. Two earlier applications for regular bail filed by the petitioner were dismissed as per orders in B.A.Nos. 5087 & 5495 of 2007. Facts have been adverted to in detail in the said orders. This order must be read in continuation of the said orders. I am hence not adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given the full compliment of 90 days to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 10.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R. BASANT)**
Judge

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